



Committee Members
Jordan Wamhoff
Robert Poythress (alt)

ITEM 4.a

MINUTES

Madera County Groundwater Sustainability Agency
(in the Madera, Chowchilla, and Delta-Mendota Subbasins)
Committee Meeting: May 5, 2026, 1:30 p.m.

Meeting Location: Madera County Government Center
200 W. 4th Street, Madera CA 93637
Board of Supervisors Chambers

REMOTE PARTICIPATION

<https://us06web.zoom.us/j/81143957936>

Attendance:

County GSA Directors: Jordan Wamhoff, Robert Poythress (alt)

County GSA Staff: Stephanie Anagnoson, Emily Garcia, Tukta Phetasa, Jerod Weeks, Mayumi Ploszaj

County staff attending on behalf of the GSA: Regina Garza, Wallace Nishimoto

7 members of the public in person; 22 members of the public on-line (Zoom and You Tube)

1. Call to Order: 1:31 p.m.
Meeting was called to order by Jordan Wamhoff
2. Flag Salute
This was led by Mark Peters
3. Public Comment – No public comment was made.
4. New Business
 - a. Action Item: Approval of the Madera County Groundwater Sustainability Agency Committee Meeting Minutes from April 7, 2026





Committee Members
Jordan Wamhoff
Robert Poythress (alt)

ITEM 4.a

Result: Motion passed
Moved: Director Poythress
Second: Director Wamhoff
Ayes: Director Wamhoff; Poythress
Vote passes: 2-0

b. Informational Item: Weather Outlook

This was presented by Stephanie Anagnoson. There were no public comments.

c. Informational Item: Progress Report on 2026 Items

This was presented by Stephanie Anagnoson. There were no public comments.

d. Informational Item: 2026 Summary of Rules Booklet Publication Outreach

This was presented by Emily Garcia, Tukta Phetasa. There were no public comments.

e. Informational Item: Financial Update: GSA Quarterly Update, including Domestic Well Mitigation Program, and review of proposed FY 26-27 budget

This was presented by Jerod Weeks. There were four public comments.

5. Directors' Report

This was presented by Stephanie Anagnoson. There were zero public comments.

6. Adjourn – 2:58 p.m.





Committee Members
Robert Macaulay
Jordan Wamhoff

ITEM 4.b

Date: July 14, 2026

To: Madera County Groundwater Sustainability Agency (GSA) Committee
Robert Macaulay, Jordan Wamhoff

From: Stephanie Anagnoson, Director of Water and Natural Resources

Subject: Informational Item: Discussion and to Board of Directors to apply existing cost-sharing agreement in Chowchilla Subbasin to share costs across six subbasins for subsidence monitoring data formerly collected by the Bureau of Reclamation under the San Joaquin River Restoration Program

DISCUSSION:

Due to funding constraints, the U.S. Department of Interior, Bureau of Reclamation (USBR) is no longer providing bi-annual (twice-yearly) survey data for the geodetic benchmark network for the San Joaquin River Restoration Project. This data was the primary data source for subsidence monitoring Sustainable Management Criteria (SMC) in several subbasins. The USBR notified Luhdorff and Scalmanini in early 2026 that they will no longer be conducting subsidence data collection.

The discontinuation of this dataset directly affects the Chowchilla Subbasin Groundwater Sustainability Agencies (GSAs) ability to comply with the Sustainable Groundwater Management Act (SGMA). SGMA requires GSAs to monitor land subsidence and report subsidence conditions and trends in Annual Reports and five-year Groundwater Sustainability Plan (GSP) updates submitted to the California Department of Water Resources (DWR). The Chowchilla Subbasin GSAs met with DWR on several occasions to see if they would take over the monitoring but at this time they are not interested in supporting or coordinating future ground-based measurements.

An option that was recommended in the Chowchilla Subbasin GSP Advisory Committee on June 17, 2026, was to have Provost and Pritchard (P&P) generate replacement data for the July 2026 reading, formerly provided by USBR.

There are several subbasins that rely on this data for their monitoring and reporting which includes Delta-Mendota, Westside, Merced, Madera, Kings, and Chowchilla. The overall





Committee Members
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ITEM 4.b

cost of \$127,300 in the proposal provided by P&P will be split equally across these six subbasins. The total cost is not to exceed \$21,216.67 for each subbasin. The Chowchilla Subbasin will utilize an existing Cost Share MOU to split the cost among the four Chowchilla GSAs: Madera County GSA, Merced County GSA, Chowchilla Water District GSA, and Triangle T Water District GSA.

This amount will cover the costs to collect and generate data for the July 2026 dataset. The scope of services that was submitted in the proposal provided by P&P include:

- Project Management and coordination
- Prepare field plan and delegate field tasks
- Perform field survey of the benchmarks
- Download data and offload supporting documents
- Process baseline data for GNSS network
- Perform network least squares adjustment
- Prepare memo describing survey methodology and results of survey

ATTACHMENTS:

1. Provost and Pritchard Proposal for Land Surveying Services for Geodetic Network for Subsidence Monitoring, San Joaquin River Valley, California
2. Chowchilla Subbasin Cost Sharing MOU Final - Signed

TP



PROVOST & PRITCHARD CONSULTING GROUP

455 W Fir Ave, Clovis, CA 93611 • (559) 449-2700
www.provostandpritchard.com

May 4, 2026

John Davids
Davids Engineering on behalf of the Madera Subbasin
346 East F Street, Suite A
Oakdale, CA 95361

**Subject: Land Surveying Services for Geodetic Network for Subsidence Monitoring,
San Joaquin River Valley, California**

Dear Mr. Davids:

Thank you for the opportunity to submit this proposal to provide land surveying services for the subject project. This proposal discusses our understanding of the project, recommends a scope of services together with associated fees, deliverables and approximate schedules, sets forth our assumptions and discusses other services that may be of interest as the project proceeds.

PROJECT UNDERSTANDING

Due to funding constraints, the U.S. Department of the Interior, Bureau of Reclamation (Reclamation), Mid-Pacific Region, Surveying and Mapping Branch is no longer providing bi-annual (twice-yearly) survey data for the geodetic benchmark network within the San Joaquin River Valley. The original *San Joaquin River Restoration Project – Geodetic Network GPS Survey Report*, published on May 4, 2012 for the December 2011 survey, identified approximately 61 control points. More recent Bureau of Reclamation documentation, provided as an excel spreadsheet of benchmark coordinate data dated July 2025, indicates that the network has since expanded to approximately 74 control points used for regional subsidence monitoring. No accompanying technical report was available to us with this dataset; the spreadsheet reflects published benchmark positions only.

The discontinuation of this bi-annual dataset directly affects Groundwater Sustainability Agencies' (GSAs) ability to comply with the Sustainable Groundwater Management Act (SGMA). SGMA requires GSAs to monitor land subsidence and report subsidence conditions and trends in Annual Reports and five-year Groundwater Sustainability Plan updates submitted to the California Department of Water Resources (DWR). Without current, repeatable, high-accuracy geodetic data, GSAs are limited in their ability to support required subsidence monitoring and reporting.

Provost & Pritchard has been tasked with surveying the existing geodetic benchmark network to generate replacement data formerly provided by Reclamation. Our approach will reference *the San Joaquin River Restoration Project – Geodetic Network GPS Survey Report* published in 2012 as the primary guideline for survey methodology, network design, and performance criteria, as no subsequent technical reports have been released beyond bi-annual positional updates to benchmark coordinates. The July 2025 Bureau of Reclamation excel spreadsheet will be used to confirm the current benchmark inventory and identify benchmarks that may have been destroyed or disturbed. The survey will be planned and executed to achieve the original network accuracy goals of ± 2 centimeters horizontal accuracy and ± 3 centimeters vertical accuracy, consistent with the intent of the geodetic network.

SCOPE OF SERVICES

Our proposed scope of work for this proposal is described below.

PHASE GEO: (GEODETIC NETWORK)

The work will include reviewing the San Joaquin River Restoration Project – Geodetic Network GPS Survey Report published in 2012, along with the July 2025 Bureau of Reclamation Excel spreadsheet that lists benchmark coordinates. This review will be used to understand how the original network was built and to identify any benchmarks that may have been damaged or removed. The field work will consist only of a static GNSS (GPS) survey, following the same general approach used in the original study. Each benchmark will be surveyed at least twice, with observation times of up to 30 minutes, during periods with good satellite coverage. Coordinates will be based on the same horizontal and vertical reference systems used previously, and all data will be processed using Leica Infinity, with final network adjustments completed using Star*Net.

To improve long-term consistency and reliability, the survey will also tie into publicly available Continuously Operating Reference Stations (CORS). While six control benchmarks were originally used in 2012, the 2025 spreadsheet shows that only three are currently used as control points. Using CORS adds backup reference points in case any of the existing benchmarks are damaged and helps ensure future surveys can be accurately compared over time. Linking the network to CORS also allows the data to be updated or converted in the future if reference systems or units change, while keeping results consistent. This work will re-establish a reliable dataset to support subsidence monitoring and SGMA compliance. A map showing the benchmarks and planned CORS locations is attached.

Tasks associated with this phase include:

- Project Management and coordination
- Prepare field plan and delegate field tasks
- Perform field survey of the benchmarks
- Download data and offload supporting documents
- Process baseline data for GNSS network
- Perform network least squares adjustment
- Prepare memo describing survey methodology and results of survey

PROFESSIONAL FEES

Provost & Pritchard Consulting Group will perform the services in this Phase for the fixed fee amount of \$127,300. Reimbursable Expenses are included in the Fixed Fee amount stated.) (We understand that multiple sub-basins/GSAs will be contributing to this effort, and a cost share amongst the participating agencies is yet to be determined. Once the cost share has been determined, this proposal can be updated and then Provost & Pritchard can invoice the participating agencies directly in accordance with cost share.

SCHEDULE

Once we receive an executed copy of this Proposal together with the signed Consultant Services Agreement and are authorized to proceed, we will perform the survey within the month of July. The summary report will be provided within six (6) to eight (8) weeks of completion of the survey.

ASSUMPTIONS

- This proposal is based on information provided in the San Joaquin River Restoration Project – Geodetic Network GPS Survey Report dated May 4, 2012, and the July 2025 spreadsheet prepared by the Bureau of Reclamation.
- The project schedule does not include allowances for delays due to weather conditions.
- All coordinates are based on NAD83, Zone 4 (2007), in U.S. Survey Feet, with orthometric heights derived from NAVD 1988 using the Geoid03 geoid model.
- All benchmarks are assumed to be accessible and safe to occupy at the time of survey. If a benchmark is determined to be inaccessible or unsafe, it will not be collected.
- If a benchmark has been destroyed or cannot be located, it will be documented and noted accordingly.
- Any destroyed or unusable benchmarks will be reestablished during a subsequent survey phase, and newly established benchmarks will be collected at an additional cost.
- No gauge stations will be measured, and no total station or digital leveling methods will be utilized.

This scope of work and associated fee cover a single Geodetic Network survey. Based on past practice, these surveys have been performed on a bi-annual basis, typically in July and December.

ADDITIONAL SERVICES

The following services are not included in this proposal, however, these and others can be provided at additional cost, upon request.

- Establishment of additional survey benchmarks
- Topographic and Boundary Survey

TERMS AND CONDITIONS

In order to convey a clear understanding of our mutual responsibilities under this proposal our standard Consultant Services Agreement is attached. Please sign both of these documents and return by email. These documents will serve as our Notice to Proceed. This proposal is valid for 30 days from the date above.

Respectfully,
Provost & Pritchard Consulting Group

Analisa Gonzales, PLS 9496
Licensed Surveyor

Gavin O'Leary, GISP 99023
Director of Operations, GIS/Survey

TERMS AND CONDITIONS ACCEPTED

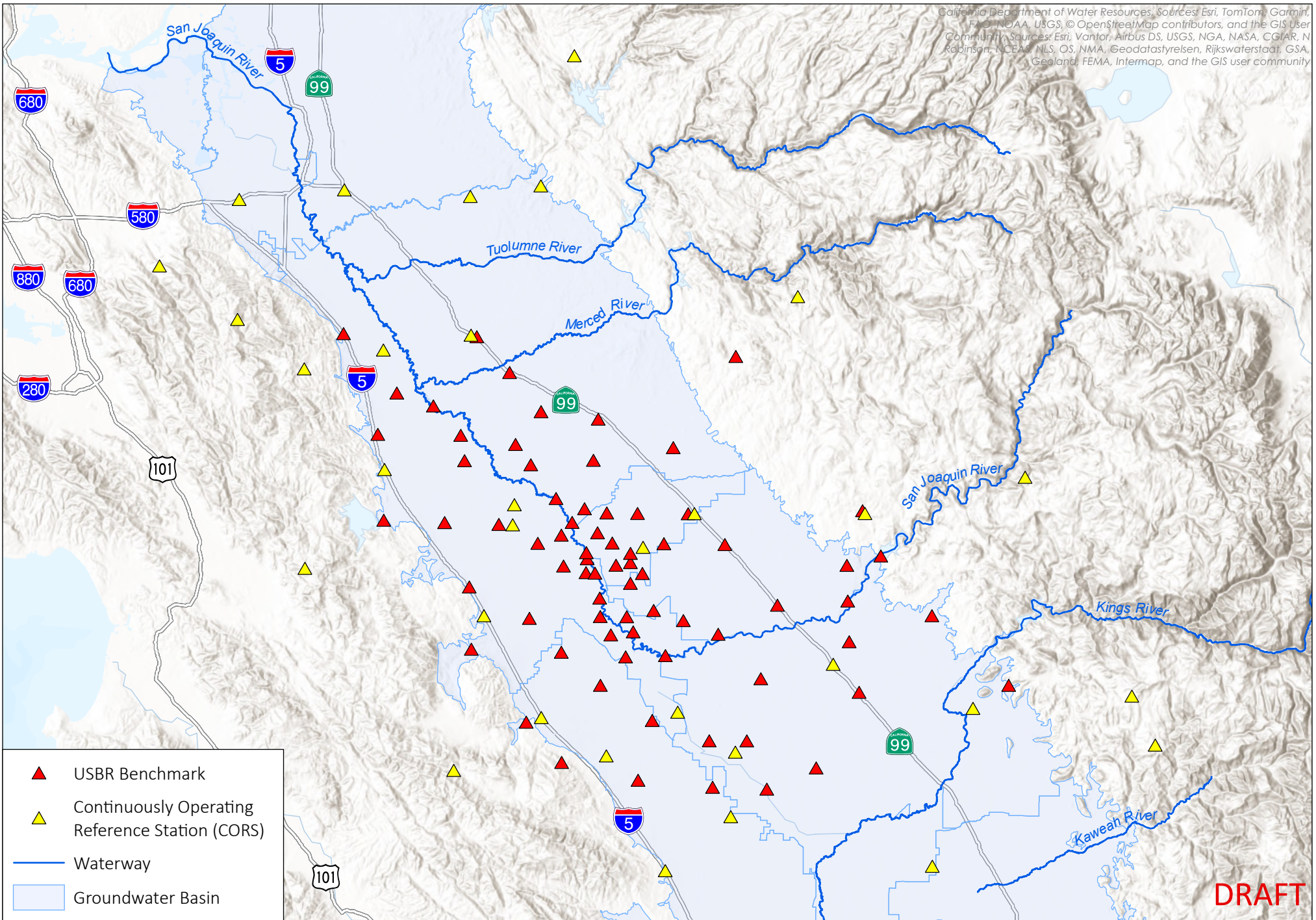
By (Client Name)

Signature

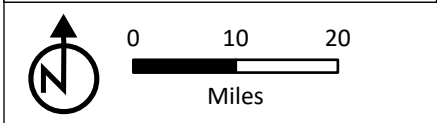
Printed Name

Title Date

DRAFT



- ▲ USBR Benchmark
- ▲ Continuously Operating Reference Station (CORS)
- Waterway
- Groundwater Basin



Subsidence Monitoring Locations

DRAFT

**PROVOST &
PRITCHARD**

**MEMORANDUM OF UNDERSTANDING
WITH RESPECT TO THE COORDINATION, COOPERATION AND COST SHARING IN
THE IMPLEMENTATION OF THE CHOWCHILLA SUBBASIN GROUNDWATER
SUSTAINABILITY PLAN**

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into the ___ day of _____, 2019 (the “Effective Date”), by and among the CHOWCHILLA WATER DISTRICT, a California water district (“CWD”), the COUNTY OF MADERA, a political subdivision of the State of California (“MADERA COUNTY”), the COUNTY OF MERCED, a political subdivision of the State of California (“MERCED COUNTY”), and TRIANGLE T WATER DISTRICT, a California water district (“TRIANGLE T”) collectively hereinafter referred to as the “Parties.”

RECITALS

A. WHEREAS, on September 16, 2014, the Governor of the State of California signed SGMA into law, consisting of Senate Bills 1168 and 1319, and Assembly Bill 1739 collectively, codified at Water Code Sections 10720 *et seq.*; and

B. WHEREAS, SGMA requires that California groundwater basins and subbasins be managed by a Groundwater Sustainability Agency (“GSA”) or multiple GSAs, and that such management be implemented pursuant to an approved Groundwater Sustainability Plan (“GSP”) or multiple coordinated GSPs; and

C. WHEREAS, each Party overlies the Chowchilla Groundwater Subbasin (“Chowchilla Subbasin”), as its boundaries are recognized by California’s Department of Water Resources (“DWR”), and may be modified from time to time in accordance with Water Code section 10722.2; and,

D. WHEREAS, each Party is either a GSA, is authorized to become a GSA, or may participate in a GSA under SGMA; and,

E. WHEREAS, the Parties previously entered into an MOU to prepare a Groundwater Sustainability Plan for the Chowchilla Subbasin and share in the costs therein; and

F. WHEREAS, the Parties have jointly prepared the Chowchilla Subbasin GSP; and

G. WHEREAS, the Parties desire, through this MOU, to develop a process for coordination and cooperation in the implementation of the Chowchilla Subbasin GSP, and to allocate the costs related to the implementation of basin-wide projects and to the preparation of the Annual Reports, as required under Water code section 10728, and Periodic Evaluations, required under Water Code section 10728.2, of that GSP.

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions contained herein and these Recitals, which are hereby incorporated herein by this reference, it is agreed by and among the Parties as follows:

1. **Objectives.** The objectives of the Parties in entering into this MOU are as follows:

(a) The Parties intend to work together in mutual cooperation to jointly coordinate and cooperate in the implementation of the Chowchilla Subbasin GSP in compliance with SGMA, for the sustainable management of groundwater for the entire Chowchilla Subbasin.

(b) The Parties intend to allow any individual GSA that is a party to this Agreement to implement the GSP within its boundaries, and intend to work together to coordinate such implementation in accordance with the requirements of SGMA.

(c) The Parties intend that nothing in this MOU will serve to limit, or otherwise interfere with a respective Party's rights and authorities over its own internal matters as recognized by SGMA, including, but not limited to, a Party's rights and powers as a GSA, its surface water supplies, groundwater supplies, facilities, operations, water management, water supply matters, or anything else limiting a Party's police powers under any other authority.

(d) The Parties intend through this MOU to share the cost of the implementation of basin-wide projects, and the cost of preparation of Annual Reports and Periodic Evaluations.

(e) Each Party acknowledges that the SGMA GSP Regulations provide that multiple GSAs within a given Bulletin 118 groundwater subbasin are required to use the same data and consistent methodologies for certain required technical assumptions when developing a GSP, and the GSP must be implemented throughout the subbasin for the subbasin to be deemed in compliance with SGMA.

(f) Each Party recognizes that nothing in this Agreement confers authorities or powers to any Party that the Party does not otherwise already hold.

2. **Powers Reserved to the GSAs that are Parties to this Agreement.** Each of the individual GSAs that are Parties to this Agreement will, in their discretion, have the sole and exclusive right to:

(a) Function as a GSA or to become a GSA individually or collectively within the Party's boundaries or the Management Area managed in whole or in part by such Party.

(b) Each individual Party may implement the GSP, as adopted by the GSAs that are Parties to this Agreement, in such Party's boundaries, or the Management Area managed in whole or in part by such Party.

(c) Notwithstanding anything to the contrary in this MOU, a Party may perform work related to implementation of the Chowchilla Subbasin GSP within the geographic or service area boundary of a GSA that is a Party to this Agreement only if that GSA has expressly consented in writing to the proposed work.

(d) Exercise the powers, without limitation, conferred to a GSA by SGMA.

3. **Administration.** With respect to the administration of this MOU, the Parties agree as follows:

(a) This MOU will not create a new entity with any new powers.

(b) This MOU will be administered by the Parties through an advisory Committee ("Committee"), consisting of one member and one alternate from each of the GSAs that are Parties to this Agreement and one non-voting member and one non-voting alternate from Sierra Vista Mutual Water Company.

(c) Each member of the Committee will share its Party's plans for implementation of the Chowchilla Subbasin GSP.

(d) The Committee may develop recommendations for implementation of the Chowchilla Subbasin GSP, based on an agreement of the majority of the Committee's members. However, the governing bodies of each of the GSAs will be required to approve those recommendations prior to them becoming effective.

(e) The Parties will designate an administrative and fiscal agent(s) from among themselves to schedule meetings, prepare agendas, meeting notes, collect payments from the Parties, and pay obligations approved by the Parties.

4. **Cost Sharing.** With respect to the sharing of costs, the Parties to this MOU agree as follows:

(a) The Committee shall develop a recommended budget for the implementation of basin-wide projects, and the preparation of Annual Reports and Periodic Evaluations, and such budgets must be approved by all of the voting Parties to become effective.

(b) Costs shall be allocated proportionately based on gross acreage within each GSA's boundaries.

5. **Term.** This MOU shall be effective as of the Effective Date, and shall remain in effect until terminated by all of the Parties.

6. **Withdrawal.** A Party may, in its sole discretion, withdraw from this MOU upon 90 days written notice to the other Parties, provided that the withdrawing Party will remain responsible for its proportionate share of any obligation or liability duly incurred under this MOU, and previously approved by the withdrawing Party.

7. **Notices.** All notices required or permitted by this MOU shall be in writing, and may be delivered in person (by hand or by courier) or may be sent by regular, certified, or registered mail or U.S. Postal Service Express Mail, with postage prepaid, or by facsimile transmission, or by electronic transmission (email) and shall be deemed sufficiently given if served in a manner specified in this Section 5. The addresses and addressees noted below are that Party's designated address and addressee for delivery or mailing of notices.

To CWD:

Chowchilla Water District
327 S. Chowchilla Boulevard
Chowchilla, CA 93610
Telephone: 559-665-3747

To County of Madera:

County of Madera
Department of Water and Natural Resources
200 W. Fourth Street
Madera, CA 93637
Telephone: 559-675-7821

To Triangle T:

Triangle T Water District
4400 Hays Drive
Chowchilla, CA 93610
Telephone: 209-665-1788

To County of Merced:

County of Merced
Community and Economic Development Department
2222 M Street
Merced, CA 95340
Telephone: 209-385-7654

Either Party may, by written notice to the other, specify a different address for notice. Any notice sent by registered or certified mail, return receipt requested, shall be deemed given on the date of

delivery shown on the receipt card, or if no delivery date is shown, three (3) days after the postmark date. If sent by regular mail, the notice shall be deemed given forty-eight (48) hours after it is addressed as required in this section and mailed with postage prepaid. Notices delivered by United States Express Mail or overnight courier that guarantee next day delivery shall be deemed given twenty-four (24) hours after delivery to the Postal Service or courier. Notices transmitted by facsimile transmission or similar means (including email) shall be deemed delivered upon telephone or similar confirmation of delivery (confirmation report from fax machine is sufficient), provided a copy is also delivered via personal delivery or mail. If notice is received after 4:00 p.m. or on a Saturday, Sunday or legal holiday, it shall be deemed received on the next business day.

8. **Compliance with Laws.** In any action taken pursuant to this MOU, the Parties shall comply with all applicable statutes, laws, and regulations, specifically including, but not limited to, SGMA and its implementing regulations, as they now exist or as they may be amended or promulgated from time to time.

To the extent that this MOU conflicts with or does not accurately reflect any applicable statutes, laws, or regulations now existing or as amended or promulgated from time to time, the laws, statutes, and regulations shall govern. To the extent that any applicable statutes, laws, or regulations are amended or newly promulgated in such a manner that causes this MOU to conflict with, or no longer accurately reflect, such statutes, laws, or regulations, this MOU shall be modified, in writing, by all Parties, in order to comport with the newly amended or promulgated statutes, laws, or regulations.

9. **Entire Agreement.** This MOU and items incorporated herein contain all of the agreements of the Parties with respect to the matters contained herein, and no prior agreement or understanding pertaining to any such matter shall be effective for any purpose.

10. **Amendments.** No provisions of this MOU may be amended or modified in any manner whatsoever except by an agreement in writing duly authorized by the governing bodies of all Parties.

11. **Assignment.** The rights and obligations of the Parties under this MOU may not be assigned or delegated.

12. **Binding Effect.** This MOU shall apply to and bind successors, assignees, contractors, subcontractors, transferees, agents, employees, and representatives of the respective Parties hereto.

13. **Governing Law.** This MOU and all documents provided for herein and the rights and obligations of the Parties hereto shall be governed in all respects, including validity, interpretation and effect, by the laws of the State of California (without giving effect to any choice of law principles).

14. **Waiver.** The failure of any Party to insist on strict compliance with any provision of this MOU shall not be considered a waiver of any right to do so, whether for that breach or any subsequent breach. The acceptance by any Party of either performance or payment shall not be considered to be a waiver of any preceding breach of the MOU by any other Party.

15. **Severability.** If any term or provision of this MOU is, to any extent, held invalid or unenforceable, the remainder of this MOU shall not be affected.

16. **Headings.** The subject headings of the sections of this MOU are included for purposes of convenience only and shall not affect the construction or interpretation of any of the provisions herein.

17. **Counterparts.** This MOU may be executed in any number of counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this MOU as of the day and year first above written.

**CHOWCHILLA WATER DISTRICT,
a California water district**

**TRIANGLE T WATER DISTRICT
a California water district**

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

COUNTY OF MERCED

COUNTY OF MADERA

By: _____

By: Brett Frazier

Name: _____

Name: BRETT FRAZIER

Title: _____

Title: Chairman, Board of Directors

Approved as to Legal Form:

COUNTY COUNSEL

By [Signature]
MICHAEL LINDEY, DEPUTY

COUNTY OF MERCED

By: *Lloyd Pereira*
DEC 17 2019

Name: *Lloyd Pereira*

Title: *Chairman*

COUNTY OF MADERA

By: _____

Name: _____

Title: _____

APPROVED AS TO LEGAL FORM
JAMES N. FINCHER
MERCED COUNTY COUNSEL

BY: *[Signature]*
Jeffrey B. Grant

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IN WITNESS WHEREOF, the Parties have executed this MOU as of the day and year first above written.

CHOWCHILLA WATER DISTRICT,
a California water district

By: 

Name: Kole Upton

Title: President

TRIANGLE T WATER DISTRICT
a California water district

By: _____

Name: _____

Title: _____

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IN WITNESS WHEREOF, the Parties have executed this MOU as of the day and year first above written.

CHOWCHILLA WATER DISTRICT,
a California water district

By: _____

Name: _____

Title: _____

TRIANGLE T WATER DISTRICT
a California water district

By:  _____

Name: Lucas Avila

Title: President



Committee Members
Robert Macaulay
Jordan Wamhoff

ITEM 4.c

Date: July 14, 2026

To: Madera County Groundwater Sustainability Agency (GSA) Committee
Robert Macaulay, Jordan Wamhoff

From: Stephanie Anagnoson, Director of Water and Natural Resources

Subject: Action Item: Consider and recommend to Board of Directors adoption of a transfer of appropriations to reimburse the General Fund

DISCUSSION:

Discussion and consideration of approval of Transfer of Appropriations (TOA) No. 25-138 in the amount of \$2,044,703.00 to transfer from the GSA Administration Fee Budget – Appropriation for Contingency account to the Op Trans Out – Gen Fund account of Fiscal Year 2025-2026.

FISCAL IMPACT:

There is no fiscal impact on the general fund.

ATTACHMENTS:

1. Budget Adjustment Authorization TOA No. 25-138

NC





Budget Adjustment Authorization

Submittal Date *

6/24/2026

For Fiscal Years *

2025-2026

Contact First Name *

Nayely

Contact Last Name *

Chavez

Department *

WNR

Department/Org #

15020

Department Head Name *

Stephanie Anagnoson

Will this Budget Adjustment be Board Approved? *

- Yes
 No

Draft Board Letter

Upload

If Board Approved, indicate the target Board date: *

7/21/2026

Please Select *

- Transfer of Appropriations Receipt of Unanticipated Revenue

Please select the document type(s) from the check boxes above. Your selection will remove unneeded fields from the form. Transfer of Appropriations Transfer From.

Transfer of Appropriations

Transfer From

| Org # * | Org Description * | Account # * | Account Description * | Amount * |
|---------|-------------------|-------------|-------------------------------|-----------|
| 15020 | GSA Fee Revenue | 780100 | Appropriation for Contingency | 2,044,703 |

[Add](#)

Total

\$ 2,044,703.00

Transfer To

| Org # * | Org Description * | Account # * | Account Description * | Amount * |
|---------|-------------------|-------------|-----------------------|-----------|
| 15020 | GSA Fee Revenue | 750100 | Op Trans Out - Gen Fd | 2,044,703 |

[Add](#)

Total

\$ 2,044,703.00

Explanation of Transfer*

This transfer moves funds from 15020-780100 Appropriation for Contingency to 15020-750100 Op Trans Out - Funded to balance the County GSA Budget.

Describe the reason for Transfer

Totals In "Transfer From" and "Transfer To" must match

Note: Transfers from Contingencies require a 4/5 vote.

Section

Name*

Nayely Chavez

Title*

Senior Administrative Analyst

Auditor to Complete

TO AUDITOR-CONTROLLER: This request is deemed necessary by this department. Please report as to the accounting and available balances and forward to the Administrative Officer for his recommendation or action.

Approved as to Availability of Funds:*

Yes No N/A

Auditor Controller's #*

25-138

Signature

Victoria Cantu

Auditor Name*

Victoria Cantu

Date*

6/30/2026

The County Auditor-Controller is authorized to make such budgetary adjustments as will carry out the intent and purpose of this budget adjustment.

Administrative Officer to Complete

Administrative Officer's Report

County Administration has reviewed this request, and it is recommended for approval.

Please Select*

Recommended Approve as Requested Approve as Revised

Signature*

Jessica Leon

Admin Officer Name*

Jessica Leon

Date*

7/1/2026

Attached for Board Approval

*

Completed



Committee Members
Robert Macaulay
Jordan Wamhoff

ITEM 4.d

Date: July 14, 2026

To: Madera County Groundwater Sustainability Agency (GSA) Committee
Robert Macaulay, Jordan Wamhoff

From: Stephanie Anagnoson, Director of Water and Natural Resources

Subject: Informational Item: Discussion and recommendation to Board of Directors to adopt a Resolution declaring Special Assessments and the Notice of Levy of Special Assessments in the Madera County Groundwater Sustainability Agency-Madera Subbasin against the real property owned by responsible parties subject to unpaid and past-due penalties imposed for excessive groundwater extraction pursuant to California Water Code section 10732.

Discussion and recommendation to Board of Directors adopt a Resolution declaring Special Assessments and the Notice of Levy of Special Assessments in the Madera County Groundwater Sustainability Agency-Chowchilla Subbasin against the real property owned by responsible parties subject to unpaid and past-due penalties imposed for excessive groundwater extraction pursuant to California Water Code section 10732.

This item is not a project within the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") pursuant to Sections 15378(b)(4) and 15378(b)(5) of the State CEQA Guidelines, because the confirmation of penalties and the direction that corresponding special assessments be entered on the tax roll for collection constitute government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment, and are administrative activities of government that will not result in direct or indirect physical changes in the environment.

DISCUSSION:

General Background of Groundwater Allocation and Penalties

There are groundwater allocations for irrigated acres within the Madera County Groundwater Sustainability Agency (GSA) in the Madera, Chowchilla, and Delta-Mendota Subbasins. Currently, there are penalties in place for using water over the farm unit allocation. The penalty rate began at \$100 per acre-foot of excess groundwater use in Calendar Year 2023 and increases in increments of \$100 annually until reaching a





Committee Members
Robert Macaulay
Jordan Wamhoff

ITEM 4.d

maximum of \$500 per acre-foot. Penalty invoices are issued directly by the Madera County GSAs. Any unpaid penalties are transferred to the property tax roll for collection.

Calendar Year 2024 Penalties

For Calendar Year 2024, a total of \$702,040 in groundwater allocation penalties was billed across the Madera and Chowchilla Subbasins, of which \$697,240 has been collected and \$4,800 remains outstanding. The penalties were not paid through direct payment to the Madera County GSAs or through the County property tax roll. They will now receive a Notice of Levy of Special Assessment.

Madera Subbasin

- Total billed: \$427,620
- Total paid: \$422,820
- Total outstanding: \$4,800

Chowchilla Subbasin

- Total billed: \$274,420
- Total paid: \$274,420
- Total outstanding: \$0

Calendar Year 2025 Penalties

For Calendar Year 2025, a total of \$1,762,770.30 in groundwater allocation penalties was billed across the Madera and Chowchilla Subbasins, of which \$870,311.00 has been collected and \$892,459.30 remains outstanding. Because the penalties were not paid directly to the Madera County GSAs by the required deadline, the unpaid amounts are subject to a Special Assessment to be collected through the County property tax roll and will receive a Notice of Levy of Special Assessment.

Madera Subbasin

- Total billed: \$1,113,060.30
- Total paid: \$463,251.00
- Total outstanding: \$649,809.30

Chowchilla Subbasin

- Total billed: \$649,710.00





Committee Members
Robert Macaulay
Jordan Wamhoff

ITEM 4.d

- Total paid: \$407,060.00
- Total outstanding: \$242,650.00

This item is not a project within the California Environmental Quality Act (Public resources Code Section 21000 et seq.) (“CEQA”) pursuant to Sections 15378(b)(4) and 15378(b)(5) of the State CEQA Guidelines, because the confirmation of penalties and the direction that corresponding special assessments be entered on the tax roll for collection constitute government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment, and are administrative activities of government that will not result in direct or indirect physical changes in the environment.

FISCAL IMPACT:

There is no anticipated fiscal impact associated with approval of this resolution.

ATTACHMENTS:

1. Resolution Declaring Special Assessments and Notice of Levy of Special Assessments – Madera Subbasin
2. Resolution Declaring Special Assessments and Notice of Levy of Special Assessments – Chowchilla Subbasin
3. Resolution 2022-143
4. Resolution 2022-145

EG



BEFORE
THE BOARD OF DIRECTORS
OF THE COUNTY OF MADERA
GROUNDWATER SUSTAINABILITY AGENCY
CHOWCHILLA SUBBASIN

| | | |
|------------------------|---|--------------------------------|
| In the Matter of |) | Resolution No. 2026-_____ |
| |) | |
| THE SUSTAINABLE |) | A RESOLUTION DECLARING SPECIAL |
| GROUNDWATER MANAGEMENT |) | ASSESSMENTS AGAINST THE REAL |
| ACT |) | PROPERTY OWNED BY |
| |) | RESPONSIBLE PARTIES SUBJECT TO |
| Chowchilla Subbasin |) | UNPAID AND PAST-DUE PENALTIES |
| |) | IMPOSED FOR EXCESSIVE |
| _____ |) | GROUNDWATER EXTRACTION |

WHEREAS, the Sustainable Groundwater Management Act, Water Code sections 10720-10738 ("SGMA") requires that each groundwater basin be managed by a Groundwater Sustainability Agency ("GSA"), or multiple GSAs;

WHEREAS, the County of Madera ("County") is the exclusive GSA for the portions of the Chowchilla Subbasin (Basin No. 5-22.05) in the San Joaquin Valley Groundwater basin, as defined by Bulletin 118 from California's Department of Water and Natural Resources, that are in unincorporated areas of Madera County and not otherwise covered by another public agency (hereinafter "County GSA");

WHEREAS, the County Board of Supervisors is the ex officio Board of Directors (hereinafter "Board") for the County GSA;

WHEREAS, under the SGMA a GSA has the authority to limit extractions from groundwater wells, establish groundwater extraction allocations, authorize temporary and permanent transfers of groundwater extraction allocations, and a GSA may adopt rules, regulations, ordinances, and resolutions to further these ends;

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WHEREAS, Water Code section 10732 permits a GSA to impose civil penalties on persons who extract groundwater in excess of the amount that person is authorized to extract;

WHEREAS, on September 27, 2022, the County GSA adopted its Resolution No. 2022-143, which resolution imposed civil penalties pursuant to Water Code section 10732 on persons who extract groundwater in excess of the amount that person is authorized to extract, provided for notice of the penalty to be sent to the property owner, and provided for a dispute and appeal process for affected property owners; and

WHEREAS, Resolution No. 2022-143 provides that the amount of any unpaid penalty thereunder, plus any other costs as provided by Resolution No. 2022-143 or by law, may be declared a special assessment against the real property owned by the responsible party within the County GSA that is the subject of the penalty, that a representative of the County GSA may present a resolution to the Board to declare a special assessment, and, upon passage and adoption thereof, cause the special assessment to be enrolled on the secured property tax roll such that it may then be collected at the same time and in the same manner as ordinary county taxes are collected and subjected to the same penalties and the same procedure and sale in the case of delinquency as provided for ordinary county taxes; and

WHEREAS, notices of the penalties have been mailed to all property owners of record, all affected property owners have been given opportunity to pay or dispute the penalties, and the appeal process prescribed in Resolution No. 2022-143 has been followed; and

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WHEREAS, the list of the APNs subject to unpaid and past-due penalties under Resolution No. 2022-143 is attached hereto and incorporated herein by reference as Exhibit "A;" and

WHEREAS, the Board finds that it is fair, reasonable and equitable to assess against each parcel of real property listed in Exhibit "A," a non-ad valorem special assessment in an amount equal to the unpaid and past-due penalty, plus administrative expenses, less any amounts already paid by the property owner.

NOW, THEREFORE, BE IT RESOLVED that based upon the foregoing, the Board of Supervisors of the County of Madera, State of California, sitting as Board of Directors of the County of Madera GSA for the Chowchilla Subbasin, determines as follows:

1. The recitals set forth above are found to be true and correct and are incorporated by reference.

2. The Board hereby elects to declare special assessments against the parcels of real property within the County GSA that are the subject of the unpaid and past-due penalties under Resolution No. 2022-143 as described in Exhibit "A" in the amounts described in Exhibit "A."

3. The Board authorizes County GSA Director or their designee to cause the special assessments to be enrolled by the County Auditor on the secured tax roll and directs that a "Notice of Levy of Special Assessment" in the form attached in Exhibit "B" be recorded with the County Clerk-Recorder's Office against each APN described in Exhibit "A."

4. The Board directs that the special assessments be collected in the same time and in the same manner as ordinary property taxes are collected and that the special assessments shall be subjected to the same penalties and the same procedure and sale

in case of delinquency as provided for ordinary property taxes.

5. Upon payment or other satisfaction in full of the special assessment against any parcel listed in Exhibit "A," including collection through the secured tax roll, the County GSA Director or their designee is authorized and directed to execute and record with the County Clerk-Recorder's Office a release of the Notice of Levy of Special Assessment for that parcel. No further action of the Board shall be required to effect such release.

6. The Board finds that the actions authorized by this Resolution are not a "project" within the meaning of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") pursuant to Sections 15378(b)(4) and 15378(b)(5) of the State CEQA Guidelines, because the confirmation of penalties and the direction that corresponding special assessments be entered on the tax roll for collection constitute government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment, and are administrative activities of government that will not result in direct or indirect physical changes in the environment.

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The foregoing Resolution was adopted this ____ day of _____, 2026, by the following vote:

Supervisor Wamhoff voted: _____

Supervisor Rogers voted: _____

Supervisor Poythress voted: _____

Supervisor Gonzalez voted: _____

Supervisor Macaulay voted: _____

Chairman, Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

Approved as to Legal Form:
COUNTY COUNSEL

Nick Clair

Digitally signed by: Nick Clair
DN: CN = Nick Clair email =
nclair@lozanosmith.com C = US
O = Lozano Smith
Date: 2026.07.10 14:33:55 -
07'00'

By: _____

ACCOUNT NUMBER(S)

EXHIBIT A

LIST OF APNs SUBJECT TO UNPAID AND PAST-DUE PENALTIES

2025 Penalties - Chowchilla Subbasin

| Penalty Year | APN | Account Name | Penalty Amount | Subbasin | Address |
|--------------|-------------|------------------------|----------------|--|--|
| 2025 | 023-190-008 | Michael Mcree | \$ 21,530.00 | Chowchilla Subbasin Madera County GSA West | 10872 AVENUE 17 CHOWCHILLA CA 93610 |
| 2025 | 023-200-001 | Michael Mcree | \$ 46,430.00 | Chowchilla Subbasin Madera County GSA West | 11494 AVENUE 17 CHOWCHILLA CA 93610 |
| 2025 | 020-160-002 | Samara Ranches | \$ 15,450.80 | Chowchilla Subbasin Madera County GSA West | 1235 OSWALD RD YUBA CITY CA 95991 |
| 2025 | 021-070-017 | Samara Ranches | \$ 24,789.20 | Chowchilla Subbasin Madera County GSA West | 1235 OSWALD RD YUBA CITY CA 95991 |
| 2025 | 020-150-002 | Menefee Hill | \$ 51,290.00 | Chowchilla Subbasin Madera County GSA West | 2894 AVENUE 20 1/2 FIREBAUGH CA 93622 |
| 2025 | 020-150-009 | Menefee Hill | \$ 10,160.00 | Chowchilla Subbasin Madera County GSA West | 1624 PAC-HECO BLVD LOS BANOS CA 93635-4904 |
| 2025 | 021-140-005 | Shawn and Miranda Dill | \$ 5,900.00 | Chowchilla Subbasin Madera County GSA West | 7694 AVENUE 18 1/2 CHOWCHILLA CA 93610 |
| 2025 | 021-140-006 | Shawn and Miranda Dill | \$ 5,270.00 | Chowchilla Subbasin Madera County GSA West | 7698 AVENUE 18 1/2 CHOWCHILLA CA 93610 |
| 2025 | 030-062-018 | Agriland 02-015 | \$ 543.80 | Chowchilla Subbasin Madera County GSA East | 23400 ROAD 24 CHOWCHILLA CA 93610 |
| 2025 | 030-062-017 | Agriland 02-015 | \$ 1,206.20 | Chowchilla Subbasin Madera County GSA East | 23400 ROAD 24 CHOWCHILLA CA 93610-9558 |
| 2025 | 021-130-016 | Jagvir Nijjar | \$ 27,790.00 | Chowchilla Subbasin Madera County GSA West | 2370 W CLEVELAND AVE STE 108 PNB 353 MADERA CA 93637 |
| 2025 | 021-130-017 | Jagvir Nijjar | \$ 7,090.00 | Chowchilla Subbasin Madera County GSA West | 2370 W CLEVELAND AVE STE 108 PNB 353 MADERA CA 93637 |
| 2025 | 022-050-009 | Jagvir Nijjar | \$ 11,560.00 | Chowchilla Subbasin Madera County GSA West | 2370 W CLEVELAND AVE STE 108 PNB 353 MADERA CA 93637 |
| 2025 | 022-040-005 | Jagvir Nijjar | \$ 9,400.00 | Chowchilla Subbasin Madera County GSA West | 2370 W CLEVELAND AVE3 STE 108 PNB 253 MADERA CA 93637 |
| 2025 | 030-061-002 | Agriland 01-010 | \$ 4,300.00 | Chowchilla Subbasin Madera County GSA East | 23400 ROAD 24 CHOWCHILLA CA 93610 |

EXHIBIT B

FORM OF NOTICE OF LEVY OF SPECIAL ASSESSMENT

Recording Requested By and
When Recorded Mail to:

County of Madera Groundwater Sustainability Agency
Attention: Director of the Madera County
Department of Water and Natural Resources
200 W. Fourth Street
Madera, CA 93637

No Recording Fee per Government Code, § 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF LEVY OF SPECIAL ASSESSMENT

NOTICE IS HEREBY GIVEN that, pursuant to Section 10732 of the California Water Code and the County of Madera Groundwater Sustainability Agency's Resolution No. 2022-143, the Board of Directors of County of Madera Groundwater Sustainability Agency has declared that a special assessment for an unpaid and past-due penalty for excessive groundwater extraction in the amount of \$_____, plus any applicable administrative costs, be assessed upon the real property described below, and by Resolution No. 2026-_____ adopted [date of 2026 Resolution], 2026 confirmed said amount and declared it a special assessment against the parcel, to be collected on the secured property tax roll at the same time and in the same manner as ordinary county taxes, subject to the same penalties and procedures and sale in the case of delinquency. This Notice shall be released upon payment or other satisfaction in full of the special assessment described herein, and upon such satisfaction the County GSA shall record a release of this Notice.

ASSESSOR'S PARCEL NUMBER: [APN]

Street Address: [address]

Record Owner(s): [name(s) per last equalized assessment roll]

Last Known Address of Record Owner: [address]

Dated: _____, 2026

COUNTY OF MADERA GROUNDWATER
SUSTAINABILITY AGENCY

By: _____
Director of the Madera County
Department of Water and Natural
Resources

BEFORE
THE BOARD OF DIRECTORS
OF THE COUNTY OF MADERA
GROUNDWATER SUSTAINABILITY AGENCY
MADERA SUBBASIN

| | | |
|------------------------|---|--------------------------------|
| In the Matter of |) | Resolution No. 2026-_____ |
| |) | |
| THE SUSTAINABLE |) | A RESOLUTION DECLARING SPECIAL |
| GROUNDWATER MANAGEMENT |) | ASSESSMENTS AGAINST THE REAL |
| ACT |) | PROPERTY OWNED BY |
| |) | RESPONSIBLE PARTIES SUBJECT TO |
| Madera Subbasin |) | UNPAID AND PAST-DUE PENALTIES |
| |) | IMPOSED FOR EXCESSIVE |
| _____ |) | GROUNDWATER EXTRACTION |

WHEREAS, the Sustainable Groundwater Management Act, Water Code sections 10720-10738 ("SGMA") requires that each groundwater basin be managed by a Groundwater Sustainability Agency ("GSA"), or multiple GSAs;

WHEREAS, the County of Madera ("County") is the exclusive GSA for the portions of the Madera Subbasin (Basin No. 5-22.06) in the San Joaquin Valley Groundwater basin, as defined by Bulletin 118 from California's Department of Water and Natural Resources, that are in unincorporated areas of Madera County and not otherwise covered by another public agency (hereinafter "County GSA");

WHEREAS, the County Board of Supervisors is the ex officio Board of Directors (hereinafter "Board") for the County GSA;

WHEREAS, under the SGMA a GSA has the authority to limit extractions from groundwater wells, establish groundwater extraction allocations, authorize temporary and permanent transfers of groundwater extraction allocations, and a GSA may adopt rules, regulations, ordinances, and resolutions to further these ends;

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WHEREAS, Water Code section 10732 permits a GSA to impose civil penalties on persons who extract groundwater in excess of the amount that person is authorized to extract;

WHEREAS, on September 27, 2022, the County GSA adopted its Resolution No. 2022-145, which resolution imposed civil penalties pursuant to Water Code section 10732 on persons who extract groundwater in excess of the amount that person is authorized to extract, provided for notice of the penalty to be sent to the property owner, and provided for a dispute and appeal process for affected property owners;

WHEREAS, Resolution No. 2022-145 provides that the amount of any unpaid penalty thereunder, plus any other costs as provided by Resolution No. 2022-145 or by law, may be declared a special assessment against the real property owned by the responsible party within the County GSA that is the subject of the penalty, that a representative of the County GSA may present a resolution to the Board to declare a special assessment, and, upon passage and adoption thereof, cause the special assessment to be enrolled on the secured property tax roll such that it may then be collected at the same time and in the same manner as ordinary county taxes are collected and subjected to the same penalties and the same procedure and sale in the case of delinquency as provided for ordinary county taxes;

WHEREAS, notices of the penalties have been mailed to all property owners of record, all affected property owners have been given opportunity to pay or dispute the penalties, and the appeal process prescribed in Resolution No. 2022-145 has been followed;

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WHEREAS, the list of the APNs subject to unpaid and past-due penalties from calendar year 2024 under Resolution No. 2022-145 is attached hereto and incorporated herein by reference as Exhibit "A;"

WHEREAS, the list of the APNs subject to unpaid and past-due penalties from calendar year 2025 under Resolution No. 2022-145 is attached hereto and incorporated herein by reference as Exhibit "B;"

WHEREAS, the Board has previously elected to assess against each parcel of real property listed in Exhibit "A," a non-ad valorem special assessment in an amount equal to the unpaid and past-due penalty, plus administrative expenses, less any amounts already paid by the property owner, and now wishes to record notice of the special assessments; and

WHEREAS, the Board finds that it is fair, reasonable and equitable to assess against each parcel of real property listed in Exhibit "B," a non-ad valorem special assessment in an amount equal to the unpaid and past-due penalty, plus administrative expenses, less any amounts already paid by the property owner, and record notice of the special assessments.

NOW, THEREFORE, BE IT RESOLVED that based upon the foregoing, the Board of Supervisors of the County of Madera, State of California, sitting as Board of Directors of the County of Madera GSA for the Madera Subbasin, determines as follows:

1. The recitals set forth above are found to be true and correct and are incorporated by reference.

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2. The Board hereby elects to declare special assessments against the parcels of real property within the County GSA that are the subject of the unpaid and past-due penalties under Resolution No. 2022-145 as described in Exhibit "B" in the amounts described in Exhibit "B."

3. The Board authorizes County GSA Director or their designee to cause the special assessments to be enrolled by the County Auditor on the secured tax roll and directs that a "Notice of Levy of Special Assessment" in the form attached in Exhibit "C" be recorded with the County Clerk-Recorder's Office against each APN described in Exhibit "B."

4. The Board directs that a "Notice of Levy of Special Assessment" in the form attached in Exhibit "C" be recorded with the County Clerk-Recorder's Office against each APN described in Exhibit "A" for which the special assessment relating to the unpaid and past-due penalties from calendar year 2024 under Resolution No. 2022-145 remain unpaid.

5. The Board directs that the special assessments be collected at the same time and in the same manner as ordinary property taxes are collected and that the special assessments shall be subjected to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary property taxes.

6. Upon payment or other satisfaction in full of the special assessment against any parcel listed in Exhibits "A" or "B," including collection through the secured tax roll, the County GSA Director or their designee is authorized and directed to execute and record with the County Clerk-Recorder's Office a release of the Notice of Levy of Special Assessment for that parcel. No further action of the Board shall be required to effect such release.

7. The Board finds that the actions authorized by this Resolution are not a "project" within the meaning of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") pursuant to Sections 15378(b)(4) and 15378(b)(5) of the State CEQA Guidelines, because the confirmation of penalties and the direction that corresponding special assessments be entered on the tax roll for collection constitute government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment, and are administrative activities of government that will not result in direct or indirect physical changes in the environment.

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The foregoing Resolution was adopted this ____ day of _____, 2026, by the following vote:

Supervisor Wamhoff voted: _____

Supervisor Rogers voted: _____

Supervisor Poythress voted: _____

Supervisor Gonzalez voted: _____

Supervisor Macaulay voted: _____

Chairman, Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

Approved as to Legal Form:
COUNTY COUNSEL

Nick Clair

Digitally signed by: Nick Clair
DN: CN = Nick Clair email =
nclair@lozanosmith.com C =
US O = Lozano Smith
Date: 2026.07.10 14:34:43 -
0700'

By: _____

ACCOUNT NUMBER(S)

EXHIBIT A

LIST OF APNs SUBJECT TO UNPAID AND PAST-DUE PENALTIES

FROM CALENDAR YEAR 2024

2024 Penalties - Madera Subbasin

| Penalty Year | APN | Account Name | Penalty Amount | Subbasin | Address |
|--------------|-------------|--------------|----------------|--|-----------------------------------|
| 2024 | 047-142-014 | Iron Hour | \$ 3,263.00 | Madera Subbasin Madera County, DMA East - Southern | 32654 A AVE, E 11 MADERA CA 93636 |
| 2024 | 047-352-012 | LAMP V.G.O. | \$ 119.00 | Madera Subbasin Madera County, DMA East - Southern | PO BOX 27710 FRESNO CA 93779 |
| 2024 | 047-352-013 | LAMP V.G.O. | \$ 232.20 | Madera Subbasin Madera County, DMA East - Southern | PO BOX 27710 FRESNO CA 93779 |
| 2024 | 047-352-014 | LAMP V.G.O. | \$ 454.80 | Madera Subbasin Madera County, DMA East - Southern | PO BOX 27710 FRESNO CA 93779 |
| 2024 | 047-352-027 | LAMP V.G.O. | \$ 343.20 | Madera Subbasin Madera County, DMA East - Southern | PO BOX 27710 FRESNO CA 93779 |

EXHIBIT B

LIST OF APNs SUBJECT TO UNPAID AND PAST-DUE PENALTIES
FROM CALENDAR YEAR 2025

| 2025 Penalties - Madera Subbasin | | | | | | |
|----------------------------------|-------------|-----------------------------------|----------------|---|--|-------------------------------|
| Penalty Year | APN | Account Name | Penalty Amount | Subbasin | Address | |
| 2025 | 040-046-001 | Assemi and Sons | \$ 33,503.00 | Madera Subbasin Madera County GSA West | 11687 ROAD 27 1/2 | HADERA CA 93637 |
| 2025 | 023-180-001 | Samara Ranches | \$ 5,940.00 | Madera Subbasin Madera County GSA West | 15260 AVENUE 18 | HADERA CA 93637 |
| 2025 | 047-140-014 | Herb Moua | \$ 7,230.00 | Madera Subbasin Madera County GSA East - Southern | 32891 AVENUE 11 | HADERA CA 93636 |
| 2025 | 040-171-012 | Jagbir Azlakh | \$ 10,800.00 | Madera Subbasin Madera County GSA West | 14663 W OLIVE AVE | VERMAM CA 93630 |
| 2025 | 044-272-003 | Almond Ranch | \$ 27,540.00 | Madera Subbasin Madera County GSA West | 1827 E FIR AVE STE 110 | FRESNO CA 93720 |
| 2025 | 044-011-005 | Mahinder Kahal | \$ 43,880.00 | Madera Subbasin Madera County GSA West | 15729 FIREBAUGH BLVD | HADERA CA 93637 |
| 2025 | 045-161-011 | Mahinder Kahal | \$ 2,370.00 | Madera Subbasin Madera County GSA West | 17895 AVENUE 12 | HADERA CA 93637 |
| 2025 | 034-210-016 | Agriland 20-172 | \$ 120.00 | Madera Subbasin Madera County GSA East - Southern | 2220 W DOVEWOOD LN | FRESNO CA 93711 |
| 2025 | 034-210-028 | Agriland 17-175 | \$ 690.00 | Madera Subbasin Madera County GSA East - Southern | 23400 ROAD 24 | CHOWCHILLA CA 93610 |
| 2025 | 034-210-019 | Agriland 22-174 | \$ 180.00 | Madera Subbasin Madera County GSA East - Southern | 23400 ROAD 24 | CHOWCHILLA CA 93610 |
| 2025 | 049-620-007 | Zak Farms-055/056 | \$ 5,370.00 | Madera Subbasin Madera County GSA East - Southern | 23400 ROAD 24 | CHOWCHILLA CA 93610 |
| 2025 | 049-590-020 | Massagham Farms | \$ 12,750.00 | Madera Subbasin Madera County GSA East - Southern | 2513 W SHAW AVE STE 102 | FRESNO CA 93711 |
| 2025 | 049-091-006 | Riar Farms | \$ 8,300.00 | Madera Subbasin Madera County GSA East - Southern | 2584 N FORDHAM AVE | FRESNO CA 93727 |
| 2025 | 049-610-003 | BuHani Family | \$ 3,900.00 | Madera Subbasin Madera County GSA East - Southern | 3826 FOURTEEN HBLE DR | STOCKTON CA 95219 |
| 2025 | 047-133-008 | Center Point | \$ 228.30 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92067-4517 |
| 2025 | 047-132-006 | Center Point | \$ 114.00 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-132-007 | Center Point | \$ 228.30 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-132-016 | Center Point | \$ 1,711.80 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-132-022 | Center Point | \$ 3,937.20 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-132-026 | Center Point | \$ 142.80 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-132-027 | Center Point | \$ 228.30 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-132-032 | Center Point | \$ 57.00 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-132-035 | Center Point | \$ 142.80 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-132-036 | Center Point | \$ 228.30 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-001 | Center Point | \$ 85.50 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-002 | Center Point | \$ 1,341.00 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-003 | Center Point | \$ 398.30 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-005 | Center Point | \$ 114.00 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-006 | Center Point | \$ 142.80 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-007 | Center Point | \$ 199.80 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-009 | Center Point | \$ 85.50 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-010 | Center Point | \$ 142.80 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-012 | Center Point | \$ 142.80 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-013 | Center Point | \$ 57.00 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-014 | Center Point | \$ 142.80 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-018 | Center Point | \$ 57.00 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-133-020 | Center Point | \$ 142.80 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 047-240-020 | Center Point | \$ 48,758.70 | Madera Subbasin Madera County GSA East - Southern | 4307 VIA VALLE VERDE | RANCHO SANTA FE CA 92091 |
| 2025 | 035-040-018 | John Nohrberg | \$ 9,450.00 | Madera Subbasin Madera County GSA East - Southern | 16512 ISLAND DR | HADERA CA 93636 |
| 2025 | 035-120-003 | John Nohrberg | \$ 5,790.00 | Madera Subbasin Madera County GSA East - Southern | 411 42ND AVE | SAN FRANCISCO CA 94121 |
| 2025 | 047-133-017 | Bhupinder Parmar | \$ 1,830.00 | Madera Subbasin Madera County GSA East - Southern | 416 SANDSTONE DR | FREMONT CA 94536 |
| 2025 | 045-162-006 | Thandi Brothers | \$ 159,750.00 | Madera Subbasin Madera County GSA West | 12456 ROAD 19 | HADERA CA 93637 |
| 2025 | 034-210-021 | Alejandro Valenzuela & Luis Avila | \$ 1,230.00 | Madera Subbasin Madera County GSA East - Southern | 4597 E TYLER AVE | FRESNO CA 93727 |
| 2025 | 027-202-008 | Five Rivers Land Company | \$ 1,823.10 | Madera Subbasin Madera County GSA East - Northern | 20485 AVENUE 21 1/2 | CHOWCHILLA CA 93610 |
| 2025 | 027-202-032 | Five Rivers Land Company | \$ 537.90 | Madera Subbasin Madera County GSA East - Northern | 5997 N BONITA AVE | FRESNO CA 93723 |
| 2025 | 044-011-004 | SGS Farms | \$ 29,400.00 | Madera Subbasin Madera County GSA West | 6542 W GROVE AVE | YLSALIA CA 93291-7928 |
| 2025 | 041-212-005 | HS Group Inc. | \$ 51,570.00 | Madera Subbasin Madera County GSA West | 6804 W 5TH AVE | KENNEWICK WA 99336 |
| 2025 | 041-212-006 | HS Group Inc. | \$ 32,193.00 | Madera Subbasin Madera County GSA West | 6804 W 5TH AVE | KENNEWICK WA 99336 |
| 2025 | 041-212-007 | HS Group Inc. | \$ 18,300.00 | Madera Subbasin Madera County GSA West | 6804 W 5TH AVE | KENNEWICK WA 99336 |
| 2025 | 041-221-002 | HS Group Inc. | \$ 35,010.00 | Madera Subbasin Madera County GSA West | 6804 W 5TH AVE | KENNEWICK WA 99336 |
| 2025 | 047-140-017 | Agriland 25-138 | \$ 1,440.00 | Madera Subbasin Madera County GSA East - Southern | 840 THE STRAND APT 2 | HERNOSA BEACH CA 90254 |
| 2025 | 027-103-005 | Five Rivers Land Company | \$ 5,200.80 | Madera Subbasin Madera County GSA East - Northern | 650 TOWN CENTER DR TENTH COSTA MESA CA 92626 | |
| 2025 | 027-171-001 | Five Rivers Land Company | \$ 2,450.70 | Madera Subbasin Madera County GSA East - Northern | 19766 AVENUE 23 | CHOWCHILLA CA 93610 |
| 2025 | 027-172-011 | Five Rivers Land Company | \$ 2,988.90 | Madera Subbasin Madera County GSA East - Northern | 20482 AVENUE 22 1/2 | CHOWCHILLA CA 93610 |
| 2025 | 027-172-014 | Five Rivers Land Company | \$ 2,719.80 | Madera Subbasin Madera County GSA East - Northern | 22156 ROAD 20 1/2 | CHOWCHILLA CA 93610 |
| 2025 | 027-172-015 | Five Rivers Land Company | \$ 388.50 | Madera Subbasin Madera County GSA East - Northern | 650 TOWN CENTER DR TENTH COSTA MESA CA 92626 | |
| 2025 | 049-620-006 | Zak Farms-055/056 | \$ 4,320.00 | Madera Subbasin Madera County GSA East - Southern | 23400 ROAD 24 | CHOWCHILLA CA 93610 |
| 2025 | 028-050-009 | Merlam Farms | \$ 6,000.00 | Madera Subbasin Madera County GSA West | 16417 AVENUE 18 | HADERA CA 93637 |
| 2025 | 047-352-012 | LaiPhy Gai | \$ 3,686.40 | Madera Subbasin Madera County GSA East - Southern | PO BOX 27710 | FRESNO CA 93729 |
| 2025 | 047-352-013 | LaiPhy Gai | \$ 4,608.90 | Madera Subbasin Madera County GSA East - Southern | PO BOX 27710 | FRESNO CA 93729 |
| 2025 | 047-352-014 | LaiPhy Gai | \$ 17,255.70 | Madera Subbasin Madera County GSA East - Southern | PO BOX 27710 | FRESNO CA 93729 |
| 2025 | 048-120-006 | LaiPhy Gai | \$ 1,356.90 | Madera Subbasin Madera County GSA East - Southern | 35360 AVENUE 9 | HADERA CA 93636 |
| 2025 | 048-120-007 | LaiPhy Gai | \$ 6,881.10 | Madera Subbasin Madera County GSA East - Southern | PO BOX 27710 | FRESNO CA 93729 |
| 2025 | 028-100-001 | Merlam Farms | \$ 14,100.00 | Madera Subbasin Madera County GSA West | 16458 AVENUE 18 | HADERA CA 93637 |
| 2025 | 044-272-002 | ShanInvestment LLC | \$ 6,609.00 | Madera Subbasin Madera County GSA West | 20265 AVENUE 7 | HADERA CA 93637 |

EXHIBIT C

FORM OF NOTICE OF LEVY OF SPECIAL ASSESSMENT

Recording Requested By and
When Recorded Mail to:

County of Madera Groundwater Sustainability Agency
Attention: Director of the Madera County
Department of Water and Natural Resources
200 W. Fourth Street
Madera, CA 93637

No Recording Fee per Government Code, § 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF LEVY OF SPECIAL ASSESSMENT

NOTICE IS HEREBY GIVEN that, pursuant to Section 10732 of the California Water Code and the County of Madera Groundwater Sustainability Agency's Resolution No. 2022-145, the Board of Directors of County of Madera Groundwater Sustainability Agency has declared that a special assessment for an unpaid and past-due penalty for excessive groundwater extraction in the amount of \$_____, plus any applicable administrative costs, be assessed upon the real property described below, and by Resolution No. [Resolution Number] adopted [date of Resolution], confirmed said amount and declared it a special assessment against the parcel, to be collected on the secured property tax roll at the same time and in the same manner as ordinary county taxes, subject to the same penalties and procedures and sale in the case of delinquency. This Notice shall be released upon payment or other satisfaction in full of the special assessment described herein, and upon such satisfaction the County GSA shall record a release of this Notice.

ASSESSOR'S PARCEL NUMBER: [APN]

Street Address: [address]

Record Owner(s): [name(s) per last equalized assessment roll]

Last Known Address of Record Owner: [address]

Dated: _____

COUNTY OF MADERA GROUNDWATER
SUSTAINABILITY AGENCY

By: _____
Director of the Madera County
Department of Water and Natural
Resources

NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Madera)

On _____ before me, _____,
(insert name and title of the officer)

personally appeared _____,
who proved to me, on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY, under the laws of the State of California, that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

**BEFORE
THE BOARD OF DIRECTORS
FOR THE COUNTY OF MADERA
GROUNDWATER SUSTAINABILITY AGENCY
CHOWCHILLA SUBBASIN**

| | | |
|------------------------|---|--|
| In the Matter of |) | Resolution No.: <u>2022 - 143</u> |
| |) | |
| THE SUSTAINABLE |) | RESOLUTION ESTABLISHING THE |
| GROUNDWATER MANAGEMENT |) | AUTHORITY FOR THE IMPOSITION OF |
| ACT |) | PENALTIES ON THOSE WHO EXTRACT |
| |) | GROUNDWATER IN EXCESS OF AN |
| Chowchilla Subbasin |) | ALLOCATION |
| |) | |
| _____ |) | |

RECITALS

WHEREAS, the Sustainable Groundwater Management Act, Water Code sections 10720-10737.8 ("SGMA") was signed into law on September 16, 2014.

WHEREAS, SGMA requires that each groundwater basin be managed by a Groundwater Sustainability Agency ("GSA"), or multiple GSAs, and that such management be pursuant to an approved Groundwater Sustainability Plan ("GSP"), or multiple GSPs.

WHEREAS, the County of Madera ("County") is the exclusive GSA for the portions of the Chowchilla Subbasin (Basin No. 5-22.05) in the San Joaquin Valley Groundwater basin, as defined by Bulletin 118 from California's Department of Water and Natural Resources ("DWR"), that are in unincorporated areas of Madera County and not otherwise covered by another public agency (hereinafter "County GSA").

WHEREAS, the County Board of Supervisors is the ex officio Board of Directors (hereinafter "Board") for the County GSA.

WHEREAS, the consumptive use of groundwater within the County GSA boundaries exceeds the available sustainable yield, and the GSP for the Chowchilla Subbasin identified demand reduction as a critical management action to achieve SGMA objectives.

WHEREAS, under SGMA a GSA has the authority to limit extractions from groundwater wells, establish groundwater extraction allocations, authorize temporary and permanent transfers of groundwater extraction allocations, and a GSA may adopt rules, regulations, ordinances, and resolutions to further these ends.

WHEREAS, on December 15, 2020, at a duly noticed public meeting, the Board adopted the Allocation Approach in the subbasins by resolution, adopted a resolution for an approach to allocating groundwater (the “Allocation Approach”) in the subbasins.

WHEREAS, the Allocation Approach includes access to groundwater categorized classified using two designations:

- a. A “sustainable yield” of native groundwater, that is, water that naturally exists in the subbasins from seepage and percolation; and
- b. “Transitional water” that is continued overdraft of the subbasins but will incrementally decrease during the GSP implementation period.

WHEREAS, the Allocation Approach is a process whereby sustainable yield access is offered to overlying groundwater rights users every five years, and whereby participation will include (a) the opportunity to pump a designated quantity of sustainable yield within each year, (b) the opportunity to pump a designated quantity of transitional water within each year, and (c) the requirement to pay for the consumptive use of sustainable yield and transition water based upon a rate structure that is to be established.

WHEREAS, the Allocation Approach allows the County GSA's per-acre (parcel-based) allocations of sustainable yield and transition water to be shared within designated "farm units," so as to allow flexibility and reflect real-world farming conditions in which resources are shared among commonly operated or managed lands.

WHEREAS, the allocation approach includes monitoring of evapotranspiration ("ET") and the ET of applied water ("ETAW") for designated "farm units" and the comparison of ETAW to assigned allocations, where such services will be provided through a contract between the County and third party experts with multiple parties performing quality assurance and quality control.

WHEREAS, in furtherance of the Allocation Approach, on June 8, 2021, the County GSA Board of Directors adopted Resolution 2021-069, providing for a per-acre allocations of SY and TW for enrolled eligible parcels within each County GSA based on best available data, to be limited to the use within the eligible parcel or within a County GSA approved farm unit, that represents a combination of eligible parcels (the "Allocations").

WHEREAS, pursuant to Resolution 2021-069, an eligible parcel includes agricultural lands that are (1) currently irrigated as of June 8, 2021, (2) were last irrigated as recently as January 1, 2015, but now may otherwise be non-irrigated (e.g. fallowed or idle), (3) are part of active irrigated agricultural operations or permitted confined animal operations (e.g. equipment storage area or milking parlors), or (4) can demonstrate to the satisfaction of the County GSA that irrigation will occur in the following calendar year, and whereby in determining what constitutes an eligible parcel, the County GSA may rely upon (1) Madera County Assessor records, (2) satellite or aerial imagery, (3)

evapotranspiration analysis performed by a remote sensing service, (4) County GSA staff inspection, and (5) the submittal by parcel owner or representative of pertinent documentation when enrolling the eligible parcel into the GSA Allocation Approach and acceptance of associated requirements imposed therein, any and all of which must be to the satisfaction of the County GSA.

WHEREAS, on August 17, 2021, the County GSA Board of Directors adopted Resolution 2021-113, making refinements to the Allocations (the "Allocation Refinements"). The refinements included a provision (No. 12) whereby if a participant in the Allocation Approach intends to appeal the County GSA-determined ETAW, such appeal shall be based upon use of a flow meter, and the participant shall (1) demonstrate that the flow meter was installed and maintained per the manufacturer's specifications, and (2) provide an engineer-certified calibration report where such calibration occurred within the last two calendar years of the appeal. The flow meter volume shall be recorded at least monthly, and a photograph of each meter reading shall be taken and submitted to the County GSA for verification purposes. An independent third party will evaluate the flow meter installation and records to determine if the flowmeter records will be accepted as measurement for determining if a grower exceeded the allocation.

WHEREAS, Water Code section 10725.2, part of SGMA, authorizes a GSA to "perform any act necessary or proper to carry out the purposes of this part," including the adoption of "rules, regulations, ordinances, and resolutions for the purpose of this part, in compliance with any procedural requirements applicable to the adoption of a rule, regulation, ordinance, or resolution by the groundwater sustainability agency."

//

WHEREAS, pursuant to Water Code section 10725.4(a)(4) “a groundwater sustainability agency may conduct an investigation...to monitor compliance and enforcement,” and pursuant to Water Code section 10731, following such an investigation the County GSA “...may make a determination fixing the amount of groundwater production from the groundwater extraction facility at an amount not to exceed the maximum production capacity of the facility for purposes of levying a groundwater charge,” and if “a water-measuring device is permanently attached to the groundwater extraction facility, the record of production as disclosed by the water-measuring device shall be presumed to be accurate unless the contrary is established by the groundwater sustainability agency after investigation.”

WHEREAS, subdivision (a)(1) of Water Code section 10732, part of SGMA, provides that “(a) person who extracts groundwater in excess of the amount that person is authorized to extract under a rule, regulation, ordinance, or resolution adopted pursuant to Section 10725.2, shall be subject to a civil penalty not to exceed five hundred dollars (\$500) per acre-foot extracted in excess of the amount that person is authorized to extract.” Also, “(l)iability under this subdivision is in addition to any liability imposed under paragraph (2) and any fee imposed for the extraction.”

WHEREAS, subdivision (a)(2) of Water Code section 10732 provides that “(a) person who violates any rule, regulation, ordinance, or resolution adopted pursuant to Section 10725.2 shall be liable for a civil penalty not to exceed one thousand dollars (\$1,000) plus one hundred dollars (\$100) for each additional day on which the violation continues if the person fails to comply within 30 days after the local agency has notified the person of the violation.”

WHEREAS, subdivision (b)(1) of Water Code section 10732 provides that a GSA “may bring an action in the superior court to determine whether a violation occurred and to impose a civil penalty described in subdivision (a).” Subdivision (b)(2) of this section provides that a GSA “may administratively impose a civil penalty described in subdivision (a) after providing notice and an opportunity for a hearing.” Subdivision (b)(3) states that “(i)n determining the amount of the penalty, the superior court or the groundwater sustainability agency shall take into consideration all relevant circumstances, including, but not limited to, the nature and persistence of the violation, the extent of the harm caused by the violation, the length of time over which the violation occurs, and any corrective action taken by the violator.”

WHEREAS, subdivision (c) of Water Code section 10732 provides that “(a) penalty imposed pursuant to this section shall be paid to the groundwater sustainability agency and shall be expended solely for purposes of this part.”

WHEREAS, subdivision (d) of Water Code section 10732 provides that “(p)enalties imposed pursuant to this section are in addition to any civil penalty or criminal fine under any other law.”

WHEREAS, pursuant Water Code sections 10725.2 and 10732, as set forth above, the Board desires through the passage of this Resolution to provide the GSA with the authority and discretion to impose civil penalties on those persons or entities, including farm units, who extract groundwater in excess of the amount that a person or entity is authorized to extract under the Allocation Approach, and to provide a system for the administration of such penalties.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Madera, State of California, sitting as Board of Directors for the County of Madera GSA for the Chowchilla Subbasin, as follows:

1. The recitals set forth above are found to be true and correct and are incorporated herein by reference. Furthermore, the Board has duly considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the Board.

2. As an alternative to appealing the County GSA's determination of ETAW as defined in Resolution 2021-113, a grower may request to be pre-approved for use of a groundwater flow meter data for determining ETAW. To be eligible for such approval, a grower must first have all irrigated parcels registered within IrriWatch. For all registered parcels that a grower intends to have ETAW determined using a groundwater flow meter, the grower must provide the County GSA with the following, which will be reviewed by the County GSA and any County-designated third party as determined necessary by the County GSA:

- a. A map depicting the exact location of groundwater well(s) and parcel(s) and field(s) served by the well(s);
- b. Photographs and a meter installation report for the well(s) serving the parcel(s);
- c. A compliant meter calibration report or results of a field flow test conducted by a County GSA approved vendor for each well;

- d. An estimate of efficiency for the irrigation system on the field(s);
- e. An attestation that that the designated well(s) only serve the identified parcel(s) or field(s); and
- f. An attestation of the validity that all submitted information represents current conditions for the well(s).

3. For any person or entity subject to the jurisdiction of any County GSA, including any “farm unit,” that extracts groundwater in excess of the amount that person or entity is authorized to extract, as that amount is determined pursuant to Resolution 2021-113 for the Allocation Refinements, the County GSA is authorized to impose one or both of the following penalties:

A. A civil penalty not to exceed \$100 per acre-foot in calendar year 2023, increasing by \$100 per acre-foot per calendar year to a maximum of \$500 per acre-foot for the total acre-feet extracted in excess of the amount that person or entity is authorized to extract for the subject parcel or farm unit.

B. A civil penalty not to exceed one thousand dollars (\$1,000) per farm unit. However, the Board of Directors shall take action to remove this \$1,000 civil penalty per farm unit at such time when the entity known as the Chowchilla Subbasin Growers (“CSG”), adequately funds an escrow account or funds projects identified in the Chowchilla Subbasin Groundwater Sustainability Plan.

C. In determining the amount of the penalty, the County GSA shall take into consideration circumstances including, but not limited to, the nature and persistence of the violation, the extent of the harm caused by the violation, the length of time over which the violation occurs, and any corrective action taken by

the violator.

4. The penalties to be imposed pursuant to Section 3 of this Resolution shall be imposed after the provision of notice to the affected property owner, and shall become due within thirty (30) days of the date of the notice, with an opportunity for the violator to be heard as set forth herein:

A. Any dispute regarding the imposition of a civil penalty under Section 3 shall be presented in writing by the affected property owner to the Director of the Department of Water and Natural Resources for the County of Madera ("Director") within thirty (30) days of having been provided notice by regular mail or electronic mail of the violation. All appeals and data submitted to support an appeal will be maintained by the County GSA and are public information. An independent consultant with expertise in agricultural irrigation will review the matter as presented and issue a written determination ("Determination") within a reasonable time period. Unless otherwise provided for, the Determination shall be issued to the affected property owner by electronic means.

B. The affected property owner may, within 20 days of the date of the mailing of the Panel's Decision on the Application, file an appeal ("Appeal") of the Decision to the Board through written or electronic communication to the Chief Clerk to the County Board of Supervisors. Unless otherwise stipulated between the Board and the affected property owner, the Appeal hearing shall take place within 45 days of the date that the Appeal was filed. The formal rules of evidence shall not apply to the Appeal hearing. The Board shall rule on the Appeal by roll call vote, and a majority vote of the entire Board is required to either grant or deny

the appeal. The Board's hearing shall be recorded electronically, and such recording, along with the Board's written minutes and any materials presented to the Board either in favor or in opposition to the Appeal, shall constitute the record of proceedings for the Appeal.

5. A penalty imposed pursuant under this Resolution shall be paid to the County GSA and shall be expended solely for the purposes of SGMA. If the responsible party made a written dispute to the County GSA regarding the penalty, as set forth in Section 4, such party shall have 30 days from the date of mailing of the Determination, Decision, or the Board's determination of an Appeal, to pay the penalties determined by the County GSA. In the event the responsible party fails to pay the penalty when due, the County GSA may take any actions permitted by law to collect the unpaid penalty, which shall accrue interest at a rate of six percent per year, commencing thirty days after the penalty becomes due and continuing until paid.

6. The amount of any unpaid penalty, plus any other costs as provided in this Resolution or by law, may be declared a lien on the real property owned by the responsible party within the County GSA that is the subject of the penalty, as follows:

A. Notice shall be given to the responsible party prior to the recordation of the lien, and shall be mailed by first class mail, postage prepaid, to the last known address; and

B. When a public official representing the County GSA records a lien listing delinquent unpaid penalties with the County Clerk-Recorder's office, the lien shall specify the amount of the lien, the date of the code violations, the date of the final administrative decision, the street address, legal description, and assessor's

parcel number of the parcel on which the lien is imposed, and the name of the owner of the parcel according to the last equalized assessment roll; and

C. In the event that the lien is discharged, released, or satisfied, either through payment or foreclosure, notice of the discharge and release of the lien shall be prepared by the public official.

7. The amount of an unpaid penalty, plus any other costs as provided by this Resolution or by law, may be declared a special assessment against the real property owned by the responsible party within the County GSA that is the subject of the penalty. The amount of the assessment shall not exceed the amount of penalty imposed for the violation, plus any cost authorized this Resolution or by law. A representative of the County GSA may present a resolution to the Board to declare a special assessment, and, upon passage and adoption thereof, shall cause a certified copy to be recorded with the County Clerk-Recorder's office. The assessment may then be collected at the same time and in the same manner as ordinary taxes are collected and shall be subjected to the same penalties and the same procedure and sale in the case of delinquency as provided for ordinary property taxes.

8. Penalties imposed pursuant to this Resolution are non-exclusive, and therefore are in addition to any civil penalty or criminal fine that may be imposed under any other law.

9. The Director is hereby authorized and directed to take further actions as may be necessary to implement the intent and purposes of this Resolution.

10. The provisions of this Resolution shall become effective on January 1, 2023.

* * * * *

The foregoing Resolution was adopted this 27TH day of SEPTEMBER

2022, by the following vote.



| | |
|---------------------------|------------|
| Director Frazier voted: | <u>Yes</u> |
| Director Rogers voted: | <u>No</u> |
| Director Poythress voted: | <u>Yes</u> |
| Director Gonzalez voted: | <u>Yes</u> |
| Director Wheeler voted: | <u>Yes</u> |

[Signature]
Chairman, Board of Directors

ATTEST:

[Signature]
Clerk, Board of Directors

Approved as to Legal form:
COUNTY COUNSEL

By [Signature]

**BEFORE
THE BOARD OF DIRECTORS
FOR THE COUNTY OF MADERA
GROUNDWATER SUSTAINABILITY AGENCY
MADERA SUBBASIN**

| | | |
|------------------------|---|--|
| In the Matter of |) | Resolution No.: <u>2022 - 145</u> |
| |) | |
| THE SUSTAINABLE |) | RESOLUTION ESTABLISHING THE |
| GROUNDWATER MANAGEMENT |) | AUTHORITY FOR THE IMPOSITION OF |
| ACT |) | PENALTIES ON THOSE WHO EXTRACT |
| |) | GROUNDWATER IN EXCESS OF AN |
| Madera Subbasin |) | ALLOCATION |
| |) | |
| _____ |) | |

RECITALS

WHEREAS, the Sustainable Groundwater Management Act, Water Code sections 10720-10737.8 ("SGMA") was signed into law on September 16, 2014.

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WHEREAS, the consumptive use of groundwater within the County GSA boundaries exceeds the available sustainable yield, and the GSP for the Madera Subbasin identified demand reduction as a critical management action to achieve SGMA objectives.

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WHEREAS, the Allocation Approach includes access to groundwater categorized classified using two designations:

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WHEREAS, the allocation approach includes monitoring of evapotranspiration ("ET") and the ET of applied water ("ETAW") for designated "farm units" and the comparison of ETAW to assigned allocations, where such services will be provided through a contract between the County and third party experts with multiple parties performing quality assurance and quality control.

WHEREAS, in furtherance of the Allocation Approach, on June 8, 2021, the County GSA Board of Directors adopted Resolution 2021-069, providing for a per-acre allocations of SY and TW for enrolled eligible parcels within each County GSA based on best available data, to be limited to the use within the eligible parcel or within a County GSA approved farm unit, that represents a combination of eligible parcels (the "Allocations").

WHEREAS, pursuant to Resolution 2021-069, an eligible parcel includes agricultural lands that are (1) currently irrigated as of June 8, 2021, (2) were last irrigated as recently as January 1, 2015, but now may otherwise be non-irrigated (e.g. fallowed or idle), (3) are part of active irrigated agricultural operations or permitted confined animal operations (e.g. equipment storage area or milking parlors), or (4) can demonstrate to the satisfaction of the County GSA that irrigation will occur in the following calendar year, and whereby in determining what constitutes an eligible parcel, the County GSA may rely upon (1) Madera County Assessor records, (2) satellite or aerial imagery, (3)

evapotranspiration analysis performed by a remote sensing service, (4) County GSA staff inspection, and (5) the submittal by parcel owner or representative of pertinent documentation when enrolling the eligible parcel into the GSA Allocation Approach and acceptance of associated requirements imposed therein, any and all of which must be to the satisfaction of the County GSA.

WHEREAS, on August 17, 2021, the County GSA Board of Directors adopted Resolution 2021-113, making refinements to the Allocations (the "Allocation Refinements"). The refinements included a provision (No. 12) whereby if a participant in the Allocation Approach intends to appeal the County GSA-determined ETAW, such appeal shall be based upon use of a flow meter, and the participant shall (1) demonstrate that the flow meter was installed and maintained per the manufacturer's specifications, and (2) provide an engineer-certified calibration report where such calibration occurred within the last two calendar years of the appeal. The flow meter volume shall be recorded at least monthly, and a photograph of each meter reading shall be taken and submitted to the County GSA for verification purposes. An independent third party will evaluate the flow meter installation and records to determine if the flowmeter records will be accepted as measurement for determining if a grower exceeded the allocation.

WHEREAS, Water Code section 10725.2, part of SGMA, authorizes a GSA to "perform any act necessary or proper to carry out the purposes of this part," including the adoption of "rules, regulations, ordinances, and resolutions for the purpose of this part, in compliance with any procedural requirements applicable to the adoption of a rule, regulation, ordinance, or resolution by the groundwater sustainability agency."

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WHEREAS, pursuant to Water Code section 10725.4(a)(4) “a groundwater sustainability agency may conduct an investigation...to monitor compliance and enforcement,” and pursuant to Water Code section 10731, following such an investigation the County GSA “...may make a determination fixing the amount of groundwater production from the groundwater extraction facility at an amount not to exceed the maximum production capacity of the facility for purposes of levying a groundwater charge,” and if “a water-measuring device is permanently attached to the groundwater extraction facility, the record of production as disclosed by the water-measuring device shall be presumed to be accurate unless the contrary is established by the groundwater sustainability agency after investigation.”

WHEREAS, subdivision (a)(1) of Water Code section 10732, part of SGMA, provides that “(a) person who extracts groundwater in excess of the amount that person is authorized to extract under a rule, regulation, ordinance, or resolution adopted pursuant to Section 10725.2, shall be subject to a civil penalty not to exceed five hundred dollars (\$500) per acre-foot extracted in excess of the amount that person is authorized to extract.” Also, “(l)iability under this subdivision is in addition to any liability imposed under paragraph (2) and any fee imposed for the extraction.”

WHEREAS, subdivision (a)(2) of Water Code section 10732 provides that “(a) person who violates any rule, regulation, ordinance, or resolution adopted pursuant to Section 10725.2 shall be liable for a civil penalty not to exceed one thousand dollars (\$1,000) plus one hundred dollars (\$100) for each additional day on which the violation continues if the person fails to comply within 30 days after the local agency has notified the person of the violation.”

WHEREAS, subdivision (b)(1) of Water Code section 10732 provides that a GSA “may bring an action in the superior court to determine whether a violation occurred and to impose a civil penalty described in subdivision (a).” Subdivision (b)(2) of this section provides that a GSA “may administratively impose a civil penalty described in subdivision (a) after providing notice and an opportunity for a hearing.” Subdivision (b)(3) states that “(i)n determining the amount of the penalty, the superior court or the groundwater sustainability agency shall take into consideration all relevant circumstances, including, but not limited to, the nature and persistence of the violation, the extent of the harm caused by the violation, the length of time over which the violation occurs, and any corrective action taken by the violator.”

WHEREAS, subdivision (c) of Water Code section 10732 provides that “(a) penalty imposed pursuant to this section shall be paid to the groundwater sustainability agency and shall be expended solely for purposes of this part.”

WHEREAS, subdivision (d) of Water Code section 10732 provides that “(p)enalties imposed pursuant to this section are in addition to any civil penalty or criminal fine under any other law.”

WHEREAS, pursuant Water Code sections 10725.2 and 10732, as set forth above, the Board desires through the passage of this Resolution to provide the GSA with the authority and discretion to impose civil penalties on those persons or entities, including farm units, who extract groundwater in excess of the amount that a person or entity is authorized to extract under the Allocation Approach, and to provide a system for the administration of such penalties.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Madera, State of California, sitting as Board of Directors for the County of Madera GSA for the Madera Subbasin, as follows:

1. The recitals set forth above are found to be true and correct and are incorporated herein by reference. Furthermore, the Board has duly considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the Board.

2. As an alternative to appealing the County GSA's determination of ETAW as defined in Resolution 2021-113, a grower may request to be pre-approved for use of a groundwater flow meter data for determining ETAW. To be eligible for such approval, a grower must first have all irrigated parcels registered within IrriWatch. For all registered parcels that a grower intends to have ETAW determined using a groundwater flow meter, the grower must provide the County GSA with the following, which will be reviewed by the County GSA and any County-designated third party as determined necessary by the County GSA:

- a. A map depicting the exact location of groundwater well(s) and parcel(s) and field(s) served by the well(s);
- b. Photographs and a meter installation report for the well(s) serving the parcel(s);
- c. A compliant meter calibration report or results of a field flow test conducted by a County GSA approved vendor for each well;

- d. An estimate of efficiency for the irrigation system on the field(s);
- e. An attestation that that the designated well(s) only serve the identified parcel(s) or field(s); and
- f. An attestation of the validity that all submitted information represents current conditions for the well(s).

3. For any person or entity subject to the jurisdiction of any County GSA, including any "farm unit," that extracts groundwater in excess of the amount that person or entity is authorized to extract, as that amount is determined pursuant to Resolution 2021-113 for the Allocation Refinements, the County GSA is authorized to impose the following penalty:

A. A civil penalty not to exceed \$100 per acre-foot in calendar year 2023, increasing by \$100 per acre-foot per calendar year to a maximum of \$500 per acre-foot for the total acre-feet extracted in excess of the amount that person or entity is authorized to extract for the subject parcel or farm unit.

B. In determining the amount of the penalty, the County GSA shall take into consideration circumstances including, but not limited to, the nature and persistence of the violation, the extent of the harm caused by the violation, the length of time over which the violation occurs, and any corrective action taken by the violator.

4. The penalties to be imposed pursuant to Section 3 of this Resolution shall be imposed after the provision of notice to the affected property owner, and shall become due within thirty (30) days of the date of the notice, with an opportunity for the violator to be heard as set forth herein:

A. Any dispute regarding the imposition of a civil penalty under Section 3 shall be presented in writing by the affected property owner to the Director of the Department of Water and Natural Resources for the County of Madera ("Director") within thirty (30) days of having been provided notice by regular mail or electronic mail of the violation. All appeals and data submitted to support an appeal will be maintained by the County GSA and are public information. An independent consultant with expertise in agricultural irrigation will review the matter as presented and issue a written determination ("Determination") within a reasonable time period. Unless otherwise provided for, the Determination shall be issued to the affected property owner by electronic means.

B. The affected property owner may, within 20 days of the date of the mailing of the Panel's Decision on the Application, file an appeal ("Appeal") of the Decision to the Board through written or electronic communication to the Chief Clerk to the County Board of Supervisors. Unless otherwise stipulated between the Board and the affected property owner, the Appeal hearing shall take place within 45 days of the date that the Appeal was filed. The formal rules of evidence shall not apply to the Appeal hearing. The Board shall rule on the Appeal by roll call vote, and a majority vote of the entire Board is required to either grant or deny the appeal. The Board's hearing shall be recorded electronically, and such recording, along with the Board's written minutes and any materials presented to the Board either in favor or in opposition to the Appeal, shall constitute the record of proceedings for the Appeal.

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5. A penalty imposed pursuant under this Resolution shall be paid to the County GSA and shall be expended solely for the purposes of SGMA. If the responsible party made a written dispute to the County GSA regarding the penalty, as set forth in Section 4, such party shall have 30 days from the date of mailing of the Determination, Decision, or the Board's determination of an Appeal, to pay the penalties determined by the County GSA. In the event the responsible party fails to pay the penalty when due, the County GSA may take any actions permitted by law to collect the unpaid penalty, which shall accrue interest at a rate of six percent per year, commencing thirty days after the penalty becomes due and continuing until paid.

6. The amount of any unpaid penalty, plus any other costs as provided in this Resolution or by law, may be declared a lien on the real property owned by the responsible party within the County GSA that is the subject of the penalty, as follows:

A. Notice shall be given to the responsible party prior to the recordation of the lien, and shall be mailed by first class mail, postage prepaid, to the last known address; and

B. When a public official representing the County GSA records a lien listing delinquent unpaid penalties with the County Clerk-Recorder's office, the lien shall specify the amount of the lien, the date of the code violations, the date of the final administrative decision, the street address, legal description, and assessor's parcel number of the parcel on which the lien is imposed, and the name of the owner of the parcel according to the last equalized assessment roll; and

C. In the event that the lien is discharged, released, or satisfied, either through payment or foreclosure, notice of the discharge and release of the lien

shall be prepared by the public official.

7. The amount of an unpaid penalty, plus any other costs as provided by this Resolution or by law, may be declared a special assessment against the real property owned by the responsible party within the County GSA that is the subject of the penalty. The amount of the assessment shall not exceed the amount of penalty imposed for the violation, plus any cost authorized this Resolution or by law. A representative of the County GSA may present a resolution to the Board to declare a special assessment, and, upon passage and adoption thereof, shall cause a certified copy to be recorded with the County Clerk-Recorder's office. The assessment may then be collected at the same time and in the same manner as ordinary taxes are collected and shall be subjected to the same penalties and the same procedure and sale in the case of delinquency as provided for ordinary property taxes.

8. Penalties imposed pursuant to this Resolution are non-exclusive, and therefore are in addition to any civil penalty or criminal fine that may be imposed under any other law.

9. The Director is hereby authorized and directed to take further actions as may be necessary to implement the intent and purposes of this Resolution.

10. The provisions of this Resolution shall become effective on January 1, 2023.

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The foregoing Resolution was adopted this 27TH day of SEPTEMBER, 2022, by the following vote.



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| Director Frazier voted: | <u>yes</u> |
| Director Rogers voted: | <u>no</u> |
| Director Poythress voted: | <u>yes</u> |
| Director Gonzalez voted: | <u>yes</u> |
| Director Wheeler voted: | <u>yes</u> |

Tom Wheeler
Chairman, Board of Directors

ATTEST:

Helen Scrivner
Clerk; Board of Directors

Approved as to Legal form:
COUNTY COUNSEL

By Reena



Committee Members
Robert Macaulay
Jordan Wamhoff

ITEM 4.e

Date: July 14, 2026

To: Madera County Groundwater Sustainability Agency (GSA) Committee
Robert Macaulay, Jordan Wamhoff

From: Stephanie Anagnoson, Director of Water and Natural Resources

Subject: Informational Item: Update on Domestic Well Mitigation

DISCUSSION:

The Madera Subbasin Domestic Well Mitigation Program was established by the Madera County Groundwater Sustainability Agency (GSA) to provide financial assistance to homeowners whose domestic wells have gone dry or been damaged due to declining groundwater levels associated with basin overdraft. The program is part of the implementation of the Madera Subbasin Groundwater Sustainability Plan (GSP) under California's Sustainable Groundwater Management Act (SGMA) and is intended to ensure that residents maintain access to a reliable source of domestic water while the basin transitions to long-term groundwater sustainability.

In April 2026, the Board adopted Resolution No. 2026-041 to further improve program implementation by expanding the types of eligible costs that may be covered within the existing \$35,000 funding cap. These amendments were made in response to public feedback indicating that homeowners faced significant out-of-pocket costs for essential well system components needed to restore domestic water service. The revised program continues to focus funding on reasonable and necessary costs directly related to restoring potable water service while maintaining fiscal responsibility.

Program Usage

As of June 30, 2026, the Domestic Well Mitigation Program has received referrals for 54 landowners. Of those, 29 have passed pre-screening, 14 failed pre-screening, 11 remain in the pre-screening process, and 5 were denied due to findings of the well assessment. To date, 13 well assessments have been completed, with an additional 3 assessments scheduled.





Committee Members
Robert Macaulay
Jordan Wamhoff

ITEM 4.e

Overall, program activity demonstrates continued demand for domestic well assistance and provides valuable information to evaluate program participation, mitigation needs, and future funding requirements.

GSP Fee Review

The resolution adopting the Groundwater Sustainability Project (GSP) fee requires the Madera County GSA to review the fee annually before it is assessed. Because the Domestic Well Mitigation Program has not yet completed a full annual operating cycle, there is currently insufficient information to determine whether the existing \$59 per acre fee accurately reflects the funding needed to support the program.

Accordingly, the GSA does not intend to levy the \$59 per irrigated acre fee until additional analysis has been completed. A placeholder was used in the adopted budget. The GSA will monitor domestic well failures through the upcoming peak season (June-November), evaluate program demand and expenditures at the December County GSA Committee, and use that information to determine an appropriate funding level and appropriate reserves. Based on that analysis, the GSA may establish a revised fee and either conduct a special assessment during the current fiscal year or implement a revised rate beginning in FY 2027-28.

Partnerships

The GSA has continued coordinating with Self-Help Enterprise to improve program delivery and reduce duplication of effort. Staff are currently developing a Memorandum of Understanding that would establish a partnership to secure additional project funding and facilitate the sharing of applicant intake information. This coordination is intended to streamline the application process, improve customer service, and ensure applicants are efficiently directed to the most appropriate assistance program while maximizing available funding resources.

FISCAL IMPACT:

This item is paid for by the Groundwater Sustainability Project fees and Groundwater over extraction penalties; there is no impact on the General Fund.

JW





Committee Members
Robert Macaulay
Jordan Wamhoff

Item 4f

Date: July 14, 2026

To: Madera County Groundwater Sustainability Agency (GSA) Committee
Robert Macaulay, Jordan Wamhoff

From: Stephanie Anagnoson, Director of Water and Natural Resources

Subject: Informational Item: Farm Unit Concept and Formation Process

DISCUSSION:

From 2018 through 2020, the Madera County Groundwater Sustainability Agency had an Advisory Committee of growers, ranchers and rural residents. This Advisory Committee proposed key elements of the allocation approach, including the concept of farm units. Farm units were intended to bring flexibility to the allocation and mimic real-world farming conditions where resources are shared among commonly owned or operated lands. Farm unit formation was constrained to farm unit zones. There is one zone in the Delta Mendota – County GSA, an eastern and western zone in the Chowchilla Subbasin – County and three zones in the Madera Subbasin – County GSA with an eastern zone broken into two zones and a western zone.

Original farm unit configurations were lands determined to be irrigated between January 1, 2015 and June 8, 2021. Farm units are fixed for the calendar year. Farm units can only use one measurement method. Resolution 2025-114 adopted volumetric apportionment for carryover and penalties, but other approaches are possible with a lease agreement. Never Irrigated acres can “opt in” but only for sustainable yield only what is planted and only to be their own farm unit.

Growers have asked for requirements in farm unit contracts with other growers. In addition to being in the same farm unit zone and using the same measurement method, staff suggests written agreement in the contract on how carryover and penalties are shared.

FISCAL IMPACT: N/A

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